

Appl. S.N.: 10/671,147

132071-1

REMARKS

This amendment is responsive to the Office Action mailed July 31, 2007 and the subsequent Advisory Action mailed October 15, 2007. Claims 1-19 stand canceled and claims 20-43 stand rejected. Applicants respectfully request reconsideration in view of the above amendments and following Remarks.

Claims 1-19 rejected under 35 USC §103(a)

In the July 31, 2007 Office Action, claims 1-19 were rejected under 35 USC §103(a) as being unpatentable over Stanitz (U.S. Patent No. 2,543,993) or Japan'890 (Japan 2-46890) or Berford (U.S. Patent No. 1,358,507) in view of Killin (U.S. Patent No. 2,563,046). Claims 1-19 have been canceled without prejudice thereby rendering the rejections to these claims as moot.

Claims 20, 23-27, 29, 30, 32, 36 and 40-43 rejected under 35 USC §102(b)

Claims 20, 23-27, 29, 30, 32, 36 and 40-43 stand rejected under 35 USC §102(b) as being anticipated by Conlee (U.S. Patent No. 2,767,569), Borzell (U.S. Patent No. 2,656,798) or Japan'695 (Japan 8-196695).

Amended claim 20 recites:

A fluid-dispenser device for a washing machine having a wash basket rotatable about a vertical axis **and defining radii extending in a horizontal plane relative to a circumference in correspondence with respect to said wash basket**, the device comprising:

at least two ports positioned **along a common radius and on a common horizontal plane** to direct respective jets of fluid into a wash basket, **each of the jets having a generally parallel relationship with respect to one another.**

Claim 36 is a method claim including similar claim elements and will therefore be discussed together with claim 20. Examiner's attention is drawn to Applicants' Paragraph [030] and Fig. 3 in which aspects of claims 20 and 36 are illustrated. In particular, a common radius 224 is shown including parallel outlet ports 220 and 222 situated in **a common horizontal plane**. Applicants submit

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that the prior art relied upon does not teach each and every element of claims 20 and 36.

In the rejection, the Examiner stated that Conlee, Borzell and Japan'695 each illustrate "at least two ports positioned along a common radius to direct respective jets of fluid into a wash basket. Further, the Examiner pointed to Fig. 2 of Conlee, reference 32 in Borzell, and reference 27 in Japan'695 as each teaching the recited claims elements.

In Conlee Fig. 2, discharge ports 32 and 33 are illustrated through which water/fluid is directed in direction 34 and 35, respectively. Although two or more of the **discharge ports** illustrated in FIG. 4 may have a generally parallel relationship, such parallel relationship is **not with respect to a common radius and on a common horizontal plane**. At most, discharge ports 34 and 35 may be considered to share a **common diameter with their respective jets of fluid having opposite directions**.

In Borzell, spray tube 27 is in engagement with the inner surface of the tub 5 throughout spiral courses of the tube. Further, the spray tube 27 includes perforations 31 and 32 substantially throughout the spiral courses (see e.g., Col. 3, lines 24-29). Although the perforations may have a generally parallel arrangement, the spray tube 27 is **arranged on an outer circumference of the tub such that the perforations do not share a common radius on a common horizontal plane**.

In Japan'695, although spray openings 27 may be constructed in parallel at the tip of spraying device of Figs. 1, 2 and 4, the spraying device is mounted at the top of washing machine (e.g., as illustrated in Fig. 3) and are **therefore not along a common radius on a common horizontal plane**.

For at least the reasons set forth above, Applicants submit that each and every element of claims 20 and 36 are not taught or otherwise suggested by Conlee, Borzell or Japan'695. Furthermore, as claims 23-27, 29, 30, 32 depend from claim 20 and claims 37-43 depend from claim 36, Applicants submit that these claims are similarly not anticipated for at least the same reasons.

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Applicants therefore request that the rejections to claims 20, 23-27, 29, 30, 32, 36 and 40-43 be removed.

Claims 21, 22, 28, 31, 33-35 and 37-39 rejected under 35 USC §103(a)

Claims 21, 22, 28, 31, 33-35 and 37-39 stand rejected under 35 USC §103(a) as being unpatentable over Conlee, Borzell or Japan'695 in view of Stanitz or Holden (U.S. Patent No. 2,161,047) or Beach (U.S. Patent No. 2,570,021). Applicants submit that neither Stanitz or Holden or Beach cure the deficiencies described above with respect to Conlee, Borzell and Japan'695. That is, whether alone or in combination with Conlee, Borzell or Japan'695, none of the references teach each and every element of claims 20 or 36. Accordingly, Applicants submit that claims 21, 22, 28, 31, 33-35 and 37-39 are allowable for at least the same reasons set forth above with respect to claims 20 and 36. As such, Applicants request that the rejections to these claims be removed and the claims allowed.

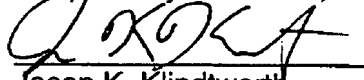
Any additional fees for this amendment are hereby petitioned for, and the Director is authorized to charge such fees as may be required to Deposit Account 07-0868.

In view of the foregoing amendments and for the reasons set out above, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested. Should the Examiner believe that anything further is needed to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below.

10/29, 2007

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Respectfully submitted,


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